

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SIXTH LEGISLATURE

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**THIRTY-FIRST LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 9, 2022**

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Anthon, and Ricks absent and formally excused by the Chair; and Senators Stennett, and Woodward, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Lyndsey Lewis, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 8, 2022, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

Senator Stennett was recorded present at this order of business.

April 20, 2021

Ms. Jennifer Novak, Secretary of the Senate  
Idaho State Capital  
PO Box 83720  
Boise, ID 83720-0054

Dear Madam Secretary:

On behalf of the Board of Commissioners of the Idaho State Bar, I am pleased to inform you that the Commissioners voted to appoint Michelle R. Points of Boise to the Judicial Council, replacing Reed W. Larson of Pocatello whose term expires June 30, 2021. Ms. Points will serve a six-year term commencing July 1, 2021 and expiring June 30, 2027. Pursuant to Idaho Code Section 1-2101, the replacement requires the consent of the Idaho State Senate.

If you have any questions or need additional information, please let me know.

Sincerely,

Diana K. Minnich  
Executive Director

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Idaho State Bar appointment was referred to the Judiciary and Rules Committee.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 9, 2022

The JUDICIARY AND RULES Committee reports that [S 1275](#), [S 1276](#), [S 1277](#), [S 1278](#), [S 1279](#), and [S 1280](#) have been correctly printed.

LAKEY, Chairman

[S 1275](#), [S 1276](#), [S 1277](#), and [S 1278](#) were referred to the Resources and Environment Committee.

[S 1279](#) was referred to the Judiciary and Rules Committee.

[S 1280](#) was referred to the Education Committee.

February 8, 2022

The TRANSPORTATION Committee reports out [S 1254](#) and [S 1267](#) with the recommendation that they do pass.

DEN HARTOG, Chair

[S 1254](#) and [S 1267](#) were filed for second reading.

February 8, 2022

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 450](#) with the recommendation that it do pass.

PATRICK, Chairman

[H 450](#) was filed for second reading.

February 8, 2022

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1260](#) with the recommendation that it be re-referred.

PATRICK, Chairman

There being no objection, [S 1260](#) was referred to the Health and Welfare Committee.

February 8, 2022

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Brett Thomas to the Idaho Health Insurance Exchange Board, term to expire April 10, 2025;

Gregory Donaca to the Idaho Health Insurance Exchange Board, term to expire April 10, 2025;

Janice Fulkerson to the Idaho Health Insurance Exchange Board, term to expire April 10, 2025;

Karan Tucker to the Idaho Health Insurance Exchange Board, term to expire April 10, 2025;

Kevin Settles to the Idaho Health Insurance Exchange Board, term to expire April 10, 2025.

PATRICK, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 8, 2022

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 472](#) with the recommendation that it do pass.

RICE, Chairman

[H 472](#) was filed for second reading.

February 8, 2022

The HEALTH AND WELFARE Committee reports out [H 445](#), [S 1256](#), [S 1257](#), [S 1258](#), and [S 1266](#) with the recommendation that they do pass.

MARTIN, Chairman

[H 445](#), [S 1256](#), [S 1257](#), [S 1258](#), and [S 1266](#) were filed for second reading.

February 9, 2022

The STATE AFFAIRS Committee reports out [S 1272](#), [S 1273](#), and [S 1274](#) with the recommendation that they do pass.

LODGE, Chair

[S 1272](#), [S 1273](#), and [S 1274](#) were filed for second reading.

February 9, 2022

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Brian Yeargain to the Idaho Endowment Fund Investment Board, term to expire April 11, 2025.

Mark Tschampl as the Administrator of the Idaho Division of Veterans Services, term to continue at the pleasure of the Governor.

LODGE, Chair

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

#### Messages from the Governor

February 7, 2022

The Honorable Janice McGeachin  
President of the Senate  
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Lori Wolff of Meridian, Idaho, was appointed as the Administrator of the Division of Human Resources to serve a term commencing June 7, 2021, and will serve at the pleasure of the Governor.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

Sincerely,  
/s/ Brad Little  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

February 7, 2022

The Honorable Janice McGeachin  
President of the Senate  
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Robert Donaldson of Lewiston, Idaho, was appointed to the Idaho Endowment Fund Investment Board to serve a term commencing October 18, 2021, and expiring April 11, 2025.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

Sincerely,  
/s/ Brad Little  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

February 7, 2022

The Honorable Janice McGeachin  
President of the Senate  
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Mike Matthews of Declo, Idaho, was reappointed to the Commission of Pardons and Parole to serve a term commencing January 1, 2022, and expiring January 1, 2025.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

Sincerely,  
/s/ Brad Little  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

February 7, 2022

The Honorable Janice McGeachin  
President of the Senate  
Idaho State Senate

Dear Madam President:

I have the honor to inform you that John Blakley of Nampa, Idaho, was reappointed to the Aeronautics Advisory Board to serve a term commencing January 31, 2022, and expiring January 31, 2027.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

Sincerely,  
/s/ Brad Little  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Transportation Committee.

February 9, 2022

The Honorable Janice McGeachin  
President of the Senate  
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Melissa Ricks of Rexburg, Idaho, to be Acting State Senator for Legislative District 34, Bonneville and Madison Counties, State of Idaho.

This appointment is effective February 9, 2022, and will continue until such time as Senator Doug Ricks is able to resume his duties.

Sincerely,  
/s/ Brad Little  
Governor

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO  
**CERTIFICATE OF APPOINTMENT**

KNOW ALL PEOPLE, that pursuant to the provisions of Section 59-917, *Idaho Code*, Doug Ricks, State Senator, District 34, Bonneville and Madison Counties, State of Idaho, has nominated Melissa Ricks of Rexburg, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 34, Bonneville and Madison.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me, do hereby appoint Melissa Ricks of Rexburg, Idaho to the office of Acting State Senator, District 34, for a term commencing on February 9, 2022, and shall continue for as long as necessary.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capital in Boise on this Ninth day of February, in the year of our Lord two thousand and twenty-two and of the Independence of the United States of America, the two hundred and forty-sixth year, and of the Statehood of Idaho, the one hundred thirty-second.

/s/ BY THE GOVERNOR BRAD LITTLE  
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Ricks, and she was recorded present at this order of business.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

**Motions and Resolutions**

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of David Bobbitt was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Riggs, seconded by Senator Stennett, the Gubernatorial appointment of David Bobbitt as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Anna Jane Dressen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Burgoyne, the Gubernatorial appointment of Anna Jane Dressen as a member of the Commission of Pardons and Parole was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1281  
BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE  
AN ACT**

RELATING TO MOTOR VEHICLE INSURANCE; AMENDING SECTION 41-2503, IDAHO CODE, TO PROVIDE THAT CERTAIN POLICIES SHALL BE CONSTRUED TO PROVIDE COVERAGE IN EXCESS OF THE LIABILITY COVERAGE OF ANY UNDERINSURED MOTOR VEHICLE INVOLVED IN AN ACCIDENT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1282  
BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE  
AN ACT**

RELATING TO ABSTRACTERS OF TITLE; REPEALING CHAPTER 1, TITLE 54, IDAHO CODE, RELATING TO ABSTRACTERS OF TITLE; AMENDING SECTION 63-307, IDAHO CODE, TO REMOVE A CODE REFERENCE, TO PROVIDE FOR EVIDENCE OF OWNERSHIP, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING

AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1283**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-268, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING SUPPLEMENTAL MEDICAID REIMBURSEMENT FOR GROUND EMERGENCY MEDICAL TRANSPORTATION; AND DECLARING AN EMERGENCY.

**S 1284**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO TOBACCO AND ELECTRONIC SMOKING DEVICES; AMENDING SECTION 39-5702, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-5703, IDAHO CODE, TO PROVIDE THAT PARENTS OR GUARDIANS OF CERTAIN MINORS MAY BE REQUIRED TO PARTICIPATE IN AWARENESS PROGRAMS; AMENDING SECTION 39-5704, IDAHO CODE, TO REVISE AN AGE REQUIREMENT AND TO REVISE PROVISIONS REGARDING MINOR EMPLOYEES; AMENDING SECTION 39-5705, IDAHO CODE, TO REVISE AN AGE REQUIREMENT; AMENDING SECTION 39-5710, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PARTICIPATION OF MINORS IN CERTAIN INSPECTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-5714, IDAHO CODE, TO REVISE AN AGE REQUIREMENT; AMENDING SECTION 39-5715, IDAHO CODE, TO REVISE AN AGE REQUIREMENT; AMENDING SECTION 39-5717, IDAHO CODE, TO REVISE PROVISIONS REGARDING SHIPPING REQUIREMENTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1285**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO TOBACCO PRODUCTS AND ELECTRONIC SMOKING DEVICES; AMENDING SECTION 39-5713, IDAHO CODE, TO PROHIBIT CERTAIN LOCAL REGULATION AND TAXES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1286**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO PSYCHOLOGISTS; AMENDING SECTION 54-2302, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 54-2303, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSE EXEMPTIONS; AMENDING SECTION 54-2305, IDAHO CODE, TO REVISE PROVISIONS REGARDING BOARD POWERS; AMENDING SECTION 54-2309, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSES AND PERMITS; AND DECLARING AN EMERGENCY.

**S 1287**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO THE RURAL NURSING LOAN REPAYMENT PROGRAM; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 97, TITLE 39, IDAHO CODE, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING A RURAL NURSING LOAN REPAYMENT FUND, TO ESTABLISH PROVISIONS REGARDING A REVIEW BOARD, TO ESTABLISH PROVISIONS REGARDING GRANT AWARDS, TO PROVIDE ELIGIBILITY CRITERIA FOR GRANTS, TO ESTABLISH PROVISIONS REGARDING GRANT APPLICATIONS, TO PROVIDE A GRANT AWARD SCHEDULE, TO PROVIDE AWARD CRITERIA, TO ESTABLISH PROVISIONS REGARDING FRAUDULENT INFORMATION ON A GRANT APPLICATION, TO PROVIDE AUTHORITY TO THE STATE DEPARTMENT OF HEALTH AND WELFARE, AND TO PROVIDE FOR ADMINISTRATIVE APPEALS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1288**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO DISTRICT JUDGES; AMENDING SECTION 1-702, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE APPOINTED TERM OF CERTAIN DISTRICT JUDGES; AND DECLARING AN EMERGENCY.

[S 1281](#), [S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1286](#), [S 1287](#), and [S 1288](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1255](#), by Education Committee, was read the second time at length and filed for third reading.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

**Miscellaneous Business**

On motion by Senator Lee, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11:15 a.m., Thursday, February 10, 2022.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary